

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 156

House Bill No. 127*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

By deleting all language following the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 68-211-105, is amended by adding the following new subsection:

() If an applicant applies for approval of the department pursuant to the provisions of this section for the new construction or change in a solid waste processing facility or disposal facility or site, then such applicant shall notify by certified mail, return receipt requested, the property owners adjacent to the property on which such activity will occur. The applicant shall include the returned receipts as part of the approval sought and shall certify that all required notification has been made. Failure to make such notification or false certification will be grounds for disapproval.

Section 2. Tennessee Code Annotated, Section 68-211-106, is amended by adding the following new subsection:

() If an applicant applies for a registration or an amendment to a registration pursuant to the provisions of this section for a new solid waste processing facility or disposal facility or site, then such applicant shall notify by certified mail, return receipt requested, the property owners adjacent to the property on which such activity will occur. The applicant shall include the returned receipts as part of the registration or amendment sought and shall certify that all required notification has been made. Failure to make such notification or false certification will be grounds for denial or revocation. The provisions of this subsection shall not apply to permits-by-rule.

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Section 3. Tennessee Code Annotated, Section 68-212-108, is amended by adding the following new subsection:

() If an applicant applies for a permit pursuant to the provisions of this section for the construction, substantial alteration or operation of a hazardous waste treatment, storage or disposal facility, then such applicant shall notify by certified mail, return receipt requested, the property owners adjacent to the property on which such activity will occur. The applicant shall include the returned receipts as part of the permit sought and shall certify that all required notification has been made. Failure to make such notification or false certification will be grounds for denial or revocation. The provisions of this subsection shall not apply to permits-by-rule.

Section 4. Tennessee Code Annotated, 69-3-108, is amended by adding the following new subsection:

() If an applicant applies for a permit or permit modification pursuant to the provisions of this section for the operation of a sewage system or aquatic resource alteration, then such applicant shall notify by certified mail, return receipt requested, the property owners adjacent to the property on which the permitted activity will occur. The applicant shall include the returned receipts as part of the application and shall certify that all required notification has been made. Failure to make such notification or false certification will be grounds for permit denial or revocation. The provisions of this subsection shall not apply to general permits.

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Section 5. The provisions of this act shall take effect on July 1, 1998, the public welfare requiring it.

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